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EXAMINER

BULLOCK JR, L

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 10/12/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

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Office Action SummaryApplication No.
08/897,217Applicant(s)
DEANExaminer
Lewis Bullock, Jr.Group Art Unit
2151☒ Responsive to communication(s) filed on Aug 30, 2000☒ This action is **FINAL**.☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims☒ Claim(s) 1-15 and 22 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.☒ Claim(s) 1-15 and 22 is/are rejected.☐ Claim(s) _____ is/are objected to.☐ Claims _____ are subject to restriction or election requirement.**Application Papers**☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.☐ The drawing(s) filed on _____ is/are objected to by the Examiner.☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.☐ The specification is objected to by the Examiner.☐ The oath or declaration is objected to by the Examiner.**Priority under 35 U.S.C. § 119**☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.☐ received in Application No. (Series Code/Serial Number) _____☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).**Attachment(s)**☐ Notice of References Cited, PTO-892☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____☐ Interview Summary, PTO-413☐ Notice of Draftsperson's Patent Drawing Review, PTO-948☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Drawings

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Double Patenting

2. Applicant is advised that should claim 1 be found allowable, claim 22 will be rejected under 35 U.S.C. 101 as being a substantial duplicate thereof. When two claims in an application are duplicates or **else are so close in content that they both cover the same thing, despite a slight difference in wording**, it is proper after allowing one claim to reject the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-15 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over GRATE (US 5,956,483).

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As to claim 1, GRATE teaches a method for serving remote procedure calls (L-WFCP function call) from an applet (HTML document) which executes within an applet viewer (browser) which in turn executes in computer system that is serving the remote procedure calls, the method comprising:

receiving from the applet (HTML document) which executes in the same computer system that serves the remote procedure calls (L-WFCP function call), a request for a document (HTTP POST message) according to a document retrieval protocol (HTTP) implemented on a computer network;

determining that the request specifies a function (strip off the HTTP header information and pass the WFCP function calling information) which is defined within a computer process (Shopper) executing independently of the applet (HTML document) and applet viewer (browser) and which includes one or more computer instructions, execution of which performs a task which is unrelated to retrieval of any document specified in the request (invoke COM object); and

executing the function (client-side function) in the same computer system that is executing the applet and applet viewer to thereby cause execution of the one or more computer instructions in response to receipt of the request (Col. 7, lines 28-37; Col. 9, lines 26-37; Col. 11, line 64-Col. 12, line 52). It would be obvious that the function call can be unrelated to the document requested.

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As to claim 2, GRATE teaches the step of determining comprises: determining that the request includes a document specification which is in a portion of a name space reserved for function requests (Col. 2, lines 16-23; Col. 3, lines 22-55) ("This protocol specifies a format for embedding function-calling information within HTML content using the standard GET/POST format for HTTP.").

As to claim 3, It is well known to one skilled in the art that if one makes a function call, results or acknowledgments can be returned.

As to claim 4, GRATE teaches communication between a browser and a local server program by using HTTP (col. 12, lines 15-20). Therefore, it would be obvious that since results can be sent back it can take the form of a document.

As to claim 5, GRATE teaches the document retrieval protocol is HTTP (Col. 10, lines 21-23).

As to claims 6-10, reference is made to a computer readable medium which corresponds to the method of claims 1-5 and is therefore met by the rejection of claims 1-5 above.

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As to claims 11-15, reference is made to a system which corresponds to the method of claims 1-5 and is therefore met by the rejection of claims 1-5 above.

As to claim 22, GRATE teaches a method for serving remote procedure calls (L-WFCP function call) from an applet (HTML document) which executes within an applet viewer (browser) which in turn executes in computer system that is serving the remote procedure calls, the method comprising:

receiving from the applet (HTML document) which executes in the same computer system that serves the remote procedure calls (L-WFCP function call), a request for a document (HTTP POST message) according to a document retrieval protocol (HTTP) implemented on a computer network;

determining that the request specifies a remote procedure call (stripe off the HTTP header information and pass the WFCP function calling information) which is defined within a computer process (Shopper) executing independently of the applet (HTML document) and applet viewer (browser) and which includes one or more computer instructions, execution of which performs a task which is unrelated to retrieval of any document specified in the request (invoke COM object); and

executing the function (client-side function) in the same computer system that is executing the applet and applet viewer to thereby cause execution of the one or more computer instructions

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in response to receipt of the request (Col. 7, lines 28-37; Col. 9, lines 26-37; Col. 11, line 64-Col. 12, line 52).

Response to Arguments

5. Applicant's arguments filed 8/30/2000 have been fully considered but they are not persuasive. First, Applicant has argued the double patenting advisory statement as improper. However, the examiner believes that this statement is proper because a function and a procedure call cover the same area. The Microsoft Press details that the difference between a procedure and a function is that the latter returns a value. However, neither claim 1 nor claim 22 deal with returning values.

Next, Applicant argues that Grate does not teach an applet and that an HTML document does not teach or suggest an applet. However, the examiner believes it is well known that applets can be found executing on a web page in a browser. Also, Grate teaches that when a user selects a button it generates a HTTP request containing the function call (Col. 9, lines 13-15). The examiner also believes that since the button can be either a hyperlink, an icon, or a graphic (Col. 9, lines 7-12), the user-selectable button can also be considered an applet.

Lastly, Applicant argues that Grate does not teach or suggest a task unrelated to retrieval of any document. Grate teaches the execution of a local function through a document retrieval protocol wherein such function does not involve any transfer of information over the Internet (col. 8, lines 3-6). Grate also gives examples of such functionality in Table 2. Therefore, it is the

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examiner's belief that such functionality is unrelated to retrieval of any document. For instance, the DeleteItem function, the AddLine item function, and the SubmitOrder function all perform functions which is unrelated to a request for a document (see table 2).


Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (703) 305-0439.



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lab

October 6, 2000